

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**EMPLOYERS & OPERATING
ENGINEERS LOCAL 520 PENSION
FUND, et al.,**

Plaintiffs,

v.

MARTIN BACKHOE SERVICES, LLC,

Defendant.

No. 09-0220-DRH

ORDER

HERNDON, Chief Judge:

On June 30, 2011, plaintiffs filed a dismissal without prejudice (Doc. 25). As defendant has filed neither an appearance nor answer, the Court **DISMISSES without prejudice** this case of action and closes the file.

IT IS SO ORDERED.

Signed this 6th day of July, 2011.


David R. Herndon
2011.07.06 16:21:30
-05'00'

**Chief Judge
United States District Court**